

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 105.4, the Iowa Plumbing and Mechanical Systems Board hereby gives Notice of Intended Action to amend Chapter 28, “Plumbing and Mechanical Systems Board—Licensure Fees,” Iowa Administrative Code.

The purpose of this amendment is to relieve the burden of sitting for examination from a licensee who has allowed a license(s) to lapse for more than 60 days but not more than 365 days. This amendment sets forth the late fee and renewal fee that will be due when a licensee renews a license(s). The amendment also stipulates that a licensee who has allowed a license to lapse for more than 60 days cannot continue to work in the discipline until the license is renewed and that a licensee who does continue to work with a lapsed license may be subject to disciplinary action.

Consideration will be given to all written suggestions or comments on the proposed amendment on or before April 10, 2012. Such written comments should be directed to Cindy Houlson, Department of Public Health, Lucas State Office Building, 321 E. 12th Street, Des Moines, Iowa 50319. Comments may be sent by fax to (515)281-6114 or by E-mail to cindy.houlson@idph.iowa.gov.

There will be a public hearing on April 10, 2012, from 11 a.m. to 12 noon, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment. This hearing will originate from the Iowa Communications Network (ICN) and will be accessible over the ICN from the following locations:

April 10, 2012
11 a.m. to 12 noon

Iowa Economic Development Authority
Main Conference Room, 2nd Floor
200 East Grand Ave.
Des Moines

Scott Community College, Room 210
500 Belmont Rd.
Bettendorf

Department of Human Services
417 E. Kanesville Blvd.
Council Bluffs

National Guard Armory
195 Radford Rd.
Dubuque

National Guard Armory
1659 Nelson Ave.
Fort Dodge

University of Iowa - 1
North Hall, Rm. 103
20 West Davenport St.
Iowa City

National Guard Armory
1160 19th St. SW
Mason City

National Guard Armory
2858 N. Court Rd.
Ottumwa

National Guard Armory
3200 2nd Mech Dr.
Sioux City

National Guard Armory
3306 Airport Blvd.
Waterloo

Any persons who intend to attend a public hearing and have special requirements, such as those relating to hearing or mobility impairments, should contact the Department of Public Health and advise of specific needs.

After analysis and review of this rule making, it has been determined that this amendment will have a positive impact on jobs. By paying late fees, a licensee will be assured of a timely renewal of the license in lieu of delays caused by sitting for and passing an examination.

This amendment is intended to implement Iowa Code section 105.20 and chapter 272C.

The following amendment is proposed.

Rescind paragraph **28.1(5)“c”** and adopt the following new paragraph in lieu thereof:

c. A licensee who allows a license to lapse for more than 60 days but not more than 365 days may reinstate and renew the license without examination upon payment of a \$100 late fee and the appropriate renewal of license fee. A licensee whose license has lapsed for more than 60 days may not work as a plumbing or mechanical professional or contractor in Iowa until the license is renewed. A licensee who works as a plumbing or mechanical professional under a license that has lapsed more than 60 days, including under a special restricted license; works as a geothermal heat pump installer with a lapsed license; or operates as a contractor in the state of Iowa with a lapsed license may be subject to disciplinary action by the board, injunctive action pursuant to Iowa Code chapter 105, criminal sanctions pursuant to Iowa Code chapter 105, and other available legal remedies.